



13281 U.S. PTO

PATENT

Attorney Docket 056707-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent and Trademark Office
Mail Stop Patent Application
2011 South Clark Place
Customer Window
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Arlington, VA 22202



CONTINUATION PATENT APPLICATION TRANSMITTAL
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a Continuation patent application under 37 C.F.R. § 1.53(b).

1. This application is a Continuation Patent Application under 37 C.F.R. § 1.53 of pending prior application No. 09/257,188 filed on February 25, 1999 of:

Inventors: 1. Gregory M. Glenn, Bethesda, MD
2. Carl Alving, Bethesda, MD

For: **Use of Penetration Enhancers and Barrier Disruption Agents to Enhance the Transcutaneous Immune Response Induced by ADP-Ribosylating Exotoxin**

Prior Application: 09/257,188
Examiner: Gerald R. Ewoldt
Group Art Unit: 1644

2. The papers enclosed are as follows:

A new continuation application:

105 Pages of specification including
96 Pages of description
08 Pages of claims
01 Page of the Abstract of the Disclosure
04 Sheets of Drawings (Figures 1-2)

3. Oath or Declaration: A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
4. Relate Back (35 U.S.C. § 120): Please see the attached Preliminary Amendment.

5. Assignment: The prior application is assigned of record to the Government of the United States, as Represented by the Secretary of the Army at Reel/Frame 012430/0236 on December 31, 2001.
6. Extension of Time in Parent Application No. 09/257,188: For the purpose of maintaining copendency between Application No. 09/257,188 and the present application, Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a Petition therefor and the Commissioner is authorized to charge the necessary fees for such an extension to Deposit Account No. 50-0310.
7. Amendments: Prior to calculation of the application filing fee, please see the attached Preliminary Amendment canceling claims 1-59 and adding new claims 60-70.
8. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS FOR FEE CALCULATION				
	Number Filed	Extra	at Rate of	Basic Fee \$770.00
Total Claims	11 - 20	0=	\$ 18.00 each =	+\$0.00
Independent Claims	1 - 3	0	\$ 86.00 each =	+\$0.00
Multiple dependent claims			\$290.00	+\$0.00
Sub-total =				\$770.00
Reduction by ½ for filing by a small entity				
Total Filing Fee =				\$770.00


9. Fee Payment: The Commissioner is authorized to charge **\$770.00** to Deposit Account No. 50-0310 for payment of the continuation application filing fee.
10. Additional Papers Filed:
 - (i) Copy of Declaration
 - (ii) Preliminary Amendment
 - (iii) Copy of recorded Assignment
 - (iv) Request to Transfer Substitute Sequence Listing
 - (v) Substitute Sequence Listing (1 page)
 - (vi) Submission of Formal Drawings
 - (vii) Formal Drawings (5 sheets – Figures 1-2)
11. The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number. Please address all correspondence to Morgan, Lewis & Bockius LLP at Customer No. 009629.

12. **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Please accord this new U.S. Continuation Application a serial number and filing date.

Dated: March 3, 2004
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania, N.W.
Washington, D.C. 20004
Tele: 202-739-3000
Fax: 202-739-3001

Respectfully submitted,
Morgan, Lewis & Bockius LLP


Erich E. Veitenheimer
Registration No. 40,420

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GLENN et al.

Atty. Ref.: 4057-32

Appln. No.: 09/257,188

Group Art Unit: 1644

Filed: February 25, 1999

Examiner: G.R. Ewoldt

FOR: USE OF PENETRATION ENHANCERS AND BARRIER DISRUPTION AGENTS
TO ENHANCE THE TRANSCUTANEOUS IMMUNE RESPONSE

* * *

June 16, 2003

Hon. Commissioner for Patents
Arlington, VA 22202

Sir:

NOTICE OF ADDRESS CHANGE

As attorney of record in this application, please direct all future correspondence to the following addressee:

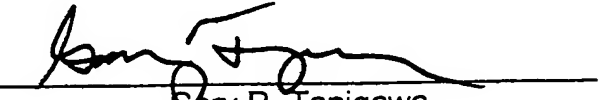
MORGAN, LEWIS & BOCKIUS L.L.P.
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Inquiries may be directed to Erich E. Veitenheimer, Esq. or Paul N. Kokulis, Esq. at (202) 739-3000 (tel) or (202) 739-3001 (fax).

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re <u>Continuation</u> Application of: Glenn <i>et al.</i>)	
)	
Application No. Not Assigned)	Art Unit: Not Assigned
)	
Filed: March 3, 2004)	Examiner: Not Assigned
)	
For: Use of Penetration Enhancers and Barrier)	
Disruption Agents to Enhance the)	
Transcutaneous Immune Response Induced)	
by ADP-Ribosylating Exotoxin)	

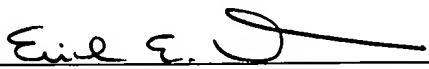
SUBMISSION OF FORMAL DRAWINGS

Filed herewith are five (5) sheets of formal drawings containing Figures 1A-1F and 2A-2D. It is respectfully requested that these drawings be approved and made part of the official record in the above-identified application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: **March 3, 2004**
Morgan, Lewis & Bockius LLP
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202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP


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